REMARKS

The present invention is directed to storage-stable, liquid, partially trimerized and allophanized polyisocyanates having an NCO content of from 15 to 41% by weight comprising the partial trimerization and allophanation product of 5-85% by weight TDI having a specified isomer distribution and 5-85% by weight MDI having a specified isomer distribution and to a process for the production of such polyisocyanates.

Applicants note with appreciation that the rejections of Claims 6-10 and 19 have been withdrawn and that these claims have been indicated to be allowable.

I. Claims 1-5 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 11-22 of U.S. Patent No. 6,515,125 in view of Oertel (page 90). Applicants continue to respectfully traverse this rejection.

The Slack et al and Oertel references were discussed and distinguished over the claimed invention in Applicants' previous response. This discussion will not be repeated. Rather, Applicants will address the specific points raised in the Office Action of January 24, 2007.

It was stated in the Office Action that Applicants have not established that the products claimed in the present invention are not patentably distinct from the partial trimerization products disclosed by Slack et al.

Applicants would direct the Examiner's attention to column 4, lines 28-32 of the Slack et al reference where it is stated:

> The products made by the present invention can have a high % by weight of trimer (i.e., 20-65%) **without the need to include other modifications such as**, for example, urethane, **allophanate**, or carbodiimide, to prevent solids formation at 25°C. (emphasis added)

It is clear from this teaching that Slack et al sought and found a way to achieve a liquid trimer which did not include allophanate groups.

One skilled in the art reading this teaching would not therefore be motivated to include the allophanate groups taught by Oertel in the Slack et al liquid trimer. In fact, that skilled artisan would need to ignore a key teaching of Slack et al if he were going to combine the teachings of Slack et al with those of Oertel in the manner suggested in the Office Action.

Applicants' invention as claimed in Claims 1-5 must include **both** trimer and allophanate groups. That is, Applicants' claimed products must include the allophanate groups which Slack et al teaches to be unnecessary. Applicants' claimed invention which requires the allophanate groups that Slack et al sought to avoid would not therefore have been obvious to one of ordinary skill in the art at the time Applicants made their invention by the teachings of Slack et al and Oertel.

Withdrawal of this rejection is therefore requested.

II. Claims 1-5 further stand rejected under 35 U.S.C. §102(a or e) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Slack et al (U.S. Patent 6,515,125) in view of Oertel (page 90). Applicants continue to respectfully traverse this rejection.

As discussed above in response to the obviousness-type double patenting rejection, Applicants' claimed invention requires the allophanate groups which Slack et al sought to avoid and teaches to be unnecessary.

Oertel contains no teaching or suggestion that rebuts or negates the teachings of Slack et al with respect to inclusion of allophanate groups in the Slack et al trimers.

The teachings of Slack et al and Oertel do not therefore anticipate or render obvious Applicants' claimed polyisocyanate containing both trimer and allophanate groups.

Withdrawal of this rejection is therefore requested.

In view of the above remarks, reconsideration of Claims 1-5 and allowance of Claims 1-10 and 19 are respectfully requested.

Respectfully submitted,

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